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RETURN RECEIPT REQUESTED

STATE OF TENNESSEE
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
JOHNSON CITY ENVIRONMENTAL FIELD OFFICE
2305 SILVERDALE ROAD
JOHNSON CITY, TENNESSEE 37601-2162
(423) 854-5400 STATEWIDE 1-888-891-8332 FAX (423) 854-5401

April 10, 2013

Ms. Victoria S. Conley
Corporate Environmental Manager
AGC Glass Company North America
1400 Lincoln Street
Kingsport, TN 37660

RE: Compliance Evaluation Inspection
AGC Flat Glass North America, Inc. -- Kingsport Plant
NPDES Permit TN0003905
Sullivan County

Dear Ms. Conley:

Tennessee Department of Environment and Conservation, Division of Water Resources personnel performed a planned inspection at AGC Flat Glass North America, Inc. -- Kingsport Plant on March 28, 2013. The division thanks AGC personnel for their assistance during this inspection. Inspection observations are detailed below. Also see the enclosed Water Compliance Inspection Report for further detail.

The inspection revealed that facility operations have ceased as previously reported in local media and on monthly Discharge Monitoring Reports (DMRs) submitted to the division. Shipment of finished glass from the site continues, but, in general, the facility assets are currently frozen pending sale of the site. Evaluation of the site during this inspection revealed facility equipment still in place as well as remaining chemicals (both new and in use at time of shut down) and substantial amounts of raw materials (*e.g.*, cullet, dolomite). Many raw materials are stored in areas from which mobilization in storm water runoff is likely, the presence of solids on roadways and other areas around the plant appears to confirm such mobilization, and evidence of accumulated solids is apparent in the outfall channel below outfalls SW1 and SW2.

The division's current understanding is that this plant will not reopen as an AGC Glass facility. According to information communicated to the division during the inspection, sale of the site is anticipated within the next few months. Existing facility NPDES permit TN0003905 expires November 30, 2013, and reapplication no later than 180 days prior to expiration is required by

permit Part II A.1. Possible transference of the existing facility NPDES permit was discussed, as was the possibility of NPDES permit TN0003905 termination and application for industrial storm water discharge permit (TMSP) coverage if necessary. As a reminder, compliance with NPDES permit TN0003905 provisions must be maintained until the permit is transferred or terminated.

Permit compliance helps ensure discharges that are protective of downstream fish and aquatic life and water quality. The division requests that you provide an update of facility status within 30 days of receipt of this correspondence. This update should also discuss the steps taken to ensure continued compliance with permit requirements. Thank you for your efforts to ensure permit compliance and to protect state water quality. If I may be of assistance in matters concerning this report, please contact me at (423) 854-5456.

Sincerely,

Bryan B. Carter
Environmental Protection Specialist
Division of Water Resources
Johnson City Environmental Field Office

BBC/150313093

Enclosure

cc: Mr. Jeff Horton, DWR, Johnson City EFO
DWR Compliance and Enforcement Section, Nashville
File Copy, DWR, Johnson City EFO



United States Environmental Protection Agency
Washington, D. C. 20460

Water Compliance Inspection Report

Section A: National Data Coding (i.e., PCS)

Transaction	Code	NPDES	yr / mo / dy	Inspection Type	Inspector	FacType																						
1	N	2	5	3	T	N	0	0	0	3	9	0	5	11	12	1	3	0	3	2	8	17	18	C	19	S	20	2
Remarks																												
21																												
66																												
Inspection Work Days																												
Facility Self-Monitoring Evaluation																												
BI																												
QA																												
-----Reserved-----																												
67																												
3																												
5																												
69																												
70																												
2																												
71																												
N																												
72																												
N																												
73																												
74																												
75																												
80																												

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number)	Entry Time / Date	Permit Effective Date
AGC Flat Glass North America, Inc. - Kingsport Plant	08:35 / 13/03/28	10/11/01
1450 Lincoln Street, Kingsport, Sullivan County, TN 37662	Exit Time / Date	Permit Expiration Date
Sanitary WW to Kingsport WWTP (TN0020095)	12:15 / 13/03/28	13/11/30
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)	Other Facility Data (e.g., SIC NAICS, and other descriptive information)	
Victoria S. Conley / Corporate Environmental Manager / (913) 787-2107 / (913) 592-6110 Victoria.Conley@us.agc.com	SIC 3211	
Name, Address of Responsible Official/Title/Phone and Fax Number	Darrell Kuivinen & Andrew Pullen	
Bruce Flaherty / Regional Operations Manager 1450 Lincoln Street, Kingsport, TN 37662 (313) 618-7738 Phone Bruce.Flaherty@us.agc.com	on site to ship finished glass. If necessary, continued sampling of SW outfalls will be performed by Mike Ludecker.	
Contacted <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

<input checked="" type="checkbox"/> Permit	<input checked="" type="checkbox"/> Self-monitoring Program	<input type="checkbox"/> Pretreatment Program	<input type="checkbox"/> MS4
<input checked="" type="checkbox"/> Records / Reports	<input type="checkbox"/> Compliance Schedule	<input checked="" type="checkbox"/> Pollution Prevention	
<input checked="" type="checkbox"/> Facility Site Review	<input checked="" type="checkbox"/> Laboratory	<input checked="" type="checkbox"/> Storm Water	
<input checked="" type="checkbox"/> Effluent / Receiving Waters	<input checked="" type="checkbox"/> Operation & Maintenance	<input type="checkbox"/> Combined Sewer Overflow	
<input checked="" type="checkbox"/> Flow Measurement	<input type="checkbox"/> Sludge Handling / Disposal	<input type="checkbox"/> Sanitary Sewer Overflow	

Section D: Summary of Findings/Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes	SEV Description

Name (s) and Signature(s) of Inspector(s)	Agency/Office/Phone and Fax Numbers	Date
Bryan B. Carter	Tennessee Division of Water Resources TDEC DWR / JCEFO / (423) 854-5456 (423) 854-5401 (FAX)	
Tina A. Robinson	TDEC DWR / JCEFO / (423) 854-5456 (423) 854-5401 (FAX)	
Signature of Management Q A Reviewer	Agency/Office/Phone and Fax Numbers	Date
Jeffrey K. Horton	Tennessee Division of Water Resources TDEC DWR / JCEFO / (423) 854-5447 (423) 854-5401 (FAX)	



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Water Compliance Inspection Report
(Continued)

Section D: Summary of Findings / Comments

I. Permit (*Satisfactory*)

Permit conditions appear representative of past facility operations. Facility production operations ceased in November 2012.

II. Records/Reports (*Unsatisfactory*)

Facility is missing some storm water records required by permit Part IV, including some monthly equipment inspections, annual comprehensive site compliance evaluations, and employee training. No storm water records older than 2010 were present with the storm water pollution prevention plan (SWPPP).

III. Facility Site Review (*Unsatisfactory*)

Onsite equipment, chemicals, and substantial amounts of raw materials were largely left in place at time of shut down in November 2012. Facility assets are currently frozen pending sale. Only one or two employees are onsite and are involved in shipping finished rolled solar glass.

IV. Effluent/Receiving waters (*Satisfactory*)

No discharge was apparent from any facility outfall at the time of inspection. Outfall 001 was observed at monitoring manhole because the actual outfall point is not accessible from the facility.

V. Flow Measurement (*Satisfactory*)

No discharge was apparent from any facility outfall at the time of inspection.

VI. Self-Monitoring Program (*Satisfactory*)

Facility is currently shut down. No discharge apparent from any facility outfall at the time of inspection.

VII. Compliance Schedule (*Not Applicable*)

VIII. Laboratory (*Unsatisfactory*)

Available laboratory records for onsite analyses indicate use of methods no longer approved for use in Title 40 CFR Part 136. However, facility has been reporting No Discharge from outfall 001 since December 2012 because of shut down. Thus, no effluent analyses have been necessary.

IX. Operation & Maintenance (*Satisfactory*)

Facility operations ceased in November 2012.

X. Sludge Handling (*Not Evaluated*)

XI. Pretreatment Program (*Not Evaluated*)

XII. Pollution Prevention (*Unsatisfactory*)

Substantial amounts of raw materials such as cullet and dolomite are present in outdoor areas exposed to storm water runoff. Material handling and storage procedures and site housekeeping efforts, required by NPDES permit Part IV, do not appear to have been successful at controlling solids migration.

XIII. Storm Water (*Unsatisfactory*)

There is visual evidence of solids leaving the site in the outfall channel below storm water outfalls SW1 and SW2.

XIV Combined Sewer Overflow (*Not Applicable*)

XV. Sanitary Sewer Overflow (*Not Evaluated*)

XVI. MS4 (*Not Evaluated*)